Motion 379.

The following motion was deemed to be not moved as the member was absent : —

MR. C. N. TUPPAN NAMPUTIRIPAD :

379. To reduce the total allotment of Rs. 7,95,352 under Demand XII by Rs 100

Motion 380.

The following motion was not moved —

MR. TARIATU KUNJITOMMAN :

380. To reduce the total allotment of Rs. 7,95,352 under Demand XII by Rs. 100.

PRESIDENT : I put Demand XII—Administration of Justice—Rs.s. 7,95,352 for the vote of the House. May I take it as passed?

The grant was made.

DEMAND XIII—CENTRAL PRISON.

MR. K. GEORGE (*Chief Secretary to Government*) : Sir, I move for a grant not exceeding Rs. 84,147 under Demand XIII--Central Prison.

Motions 381 and 382.

The following motions were not moved --

MR. K. KRISHNAN NAYAR :

381. To reduce the allotment of Rs. 52,230 for supplies and services and contingencies by Re. 1.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*) :

382. To reduce the allotment of Rs. 72,147 for Central Prison by Re. 1.

Motion 383.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, I beg to move the following motion —

To reduce the allotment of Rs. 72,147 for Central Prison by Re. 1.

My object in making this motion is to draw the attention of Government to the imperative necessity of making some provision in the Central Jail and for giving better treatment to the Political prisoners. Sir, at present, I understand that there is no specific provision for that in the Jail Rules and I think that it is due to the fact that political offences and convictions were not prevalent in this country formerly. There was only one case in which certain respectable men were convicted for certain political offences and at that time the prisoners were treated with sufficient regard and respect and their comforts were attended to.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Is the member aware that the Suchindram Sathyagraha prisoners went on a hunger strike in the Central Prison ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I do not know much about it. The member can make useful suggestions at the time of his speech.

LIBRARY ARCHIVES Kerala Legislative Assembly

Now Sir, two prisoners Messrs. Mathunni and Sankara Pillai, have been convicted for sedition and are undergoing imprisonment in the Central Jail. If my information is correct they are not given proper treatment by the Jail authorities because it seems that under the Jail rules there is no provision for giving better treatment to such class of prisoners. Sir, in view of the fact that the cases of sedition are increasing in this country Government should see that there are sufficient provisions for looking after the comforts of such respectable people.

PRESIDENT : Why do you say the cases of sedition are increasing ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Because they are increasing.

PRESIDENT : What other case is there than these two ?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) Besides these, there is another case against the 'Probodhakan.'

PRESIDENT : That is not a conviction.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : I mean the cases are increasing.

PRESIDENT : That has nothing to do with the Jail.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) So I would suggest that proper steps be taken to see that these prisoners are given better treatment and that in future there might be some provision for the same.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I support the motion and I would urge upon the Government the need of extending better treatment not only to political prisoners but to all prisoners. If anybody visits the Prison and looks at it he will find that the conditions are far from satisfactory. The report of the Central Prison will also show that the health of the prisoners is deteriorating during these years more than was the case in previous years.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : I think in the report it is said that the condition of the prisoners on the whole is good.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Technically it may be alright. I say from personal experience. I had gone to see these men the other day with Mr. E. V. Krishna Pillai, and we examined the prison by getting into some of these rooms. We noted the stench in the rooms a combination of bed room and privy. I will give an exact description of what these prisoners Messrs. Mathunni and Sankara Pillai told us. They are given 8 feet of coir matting with 2 blankets to lie on. They are not given pillows. At about dusk the door is closed. A pot is given to them for the purpose of passing urine at night. I asked them what they would do if they wanted to ease at night. They said they had not encountered that difficulty as yet. They were given another pot and they will not allow that to remain inside the room. They relied on Heaven to avoid these inconveniences. Sir, the prison should not be a place for vindictive treatment. It ought to be a place for reform. How far our prison approximates with this ideal will

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. Kunjukrishna Pillai.]

be clear from the administration report. The offences inside the prison have increased and the return of habitual prisoners has also increased. From all these things it is seen that the administration of the prison is not conducted on scientific lines or according to the approved methods of modern times.

DR. K. RAMAN TAMPI (*Inspecting Medical Officer*) : May I remind the member that in many cases people who come out from the prison are better in their health than they were at home.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : In many cases they are worse. The prison life has not been able to reform them. The administration of the prison does not allow an opportunity to every individual to become better.

MR. A. THANU PILLAI (*Trivandrum*) : Are these prisoners expected to be reformed by the Prison Law ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : I think that ought to be the ideal. I think every civilised country has accepted that ideal.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*) : Does the member take the same view with regard to political prisoners also ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : What I want to say is that the case of political prisoners alone should not be stressed. People who happen to be political prisoners and who are accustomed to a higher standard of life certainly do want certain comforts. That is a necessity. To people who are living in a higher standard of life if certain amenities of life are denied, for instance the ordinary cultivator may not suffer if he is denied newspaper reading but a civilised man who is accustomed to civilised life will find it horrible infliction if he is not given these comforts. With regard to these gentlemen who happened to be convicted by a Court they were above the average level of citizens in this State and the very fact that they are asked to lie in that room ! Sir, you must go and see that picture ! I cannot say anything with equanimity about the treatment meted out to them. When we were about to leave that place it was not dusk. There was some little light and the door with thick iron bars was about to be closed. They are not allowed to go about. But as regards the Sathiyagraha prisoners they were treated in a different way, we are told, under special instructions from Government. There was no rule. The Government if they had any regard for the health of these people could have suggested that here also Government ought not to annihilate them morally and mentally. They ought not to be vindictive. Of course their views may happen to differ from those of Government and they might have expressed their ideas strongly. They might have infringed the technique of law. On that account alone we cannot condemn a man as though he is a criminal They ought to be treated better. It is not for the prisoners to ask that. If the Government care for their reputation they ought to reform this highly undesirable state of affairs.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. KRISHNAN NAYAR (*Pattanamtitta*): Is the member aware that the prisoners have put in a petition to grant them certain concessions?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I am not aware of that. I deprecate it if they have done it. They ought not have done that. They should have stood up to their rights if they are insulted. They ought to have found a remedy in a manner consistent with self-respect. Otherwise they should not have gone in for punishment. They ought to vindicate their self-respect. If they are not prepared, they should apologise and go away.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Does the member think that they will be allowed to go away if they apologise?

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I do not know. They could have apologised at the beginning. Irrespective of that what I want to ask the Government, as a matter which affects the reputation of Government, is to conduct the administration of their Jail in a civilized manner.

MR. E. V. KRISHNA PILLAI (*Kottarakara cum Kunnattur*): In supporting the motion made by Mr. Asan I want to make clear one statement which is rather bluntly made by him and with reference to which the President had also something to say. By his statement that sedition cases are increasing in this country, it is suggested only that political offences are increasing. It is for the Government to name such offences in the way in which they please. By that it is not at all suggested that actual cases of sedition, with all the ingredients attributed to it in the Penal Code, take place in the country. As for those people Messrs Mathunni and Sankara Pillai I would challenge any member on the other side of the House to vacate his seat and contest an election with these gentlemen and see how much they are regarded by people in general. They are much more respected and loved by the people than many of us and I would import my personal knowledge into the discussion, and say that they were accustomed to a more decent status in life than many of us here. As for Mr. Mathunni he is a monument of self sacrifice. He is held by all those who know him as an embodiment of all virtues and it is such people that are allowed to rot in the prison for the simple reason that they held views different from those held by Government authorities. Mr. Kunjukrishna Pillai made mention of the enquiries conducted about the treatment of these prisoners. We were given to understand that the court that convicted them had the power to recommend preferential treatment. That was omitted by the court. We have no quarrel with the court. I strongly point out my emphatic protest against the treatment accorded to these gentlemen and I would urge upon the members of this House to enter their strong dissent against this and I assure my friends here that by doing so we will be earning the gratitude of the whole country.

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): I support the motion of Mr. Asan because Mr. Kunjukrishna Pillai has given a fair idea of the

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. P. Madhavan Pillai (*Chirayinkil*)]

condition of the Jail and what it really ought to be. The condition here is far from being satisfactory. It is high time that some improvement is effected. Civilised countries are doing that. I would urge upon the Government to appoint a committee to revise the Jail rules. I think it is time for that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Does the member know that the term of imprisonment of these gentlemen will be shortly over?

MR. K. P. MADHAVAN PILLAI (*Chirayinkil*): I am speaking with regard to the general conditions prevailing in Jail and so it is that I suggest this.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, two matters have been brought before the notice of this House; one the condition of the political prisoners now undergoing simple imprisonment in the Jail and the other about the general condition prevailing there.

As regards the first, Sir, these two prisoners were convicted by the court and sentenced to undergo simple imprisonment and naturally the treatment they would get is the treatment that the Jail rules provide in the case of simple imprisonment prisoners. They are not treated in any worse way. They are treated just like other simple imprisonment prisoners. These people applied to the court for being classed as special prisoners. Certain rules were passed by the Government in 1924. According to this rule the convicting court can pass orders saying that certain prisoners should be treated as special prisoners. But in this case the court did not pass an order to that effect. Consequently these prisoners applied to the Government and the Government received the orders of the court yesterday that they might be treated as special prisoners. The rule requires order to be confirmed by Government and I may tell the House that Government have already confirmed the decision of the court and the order will be issued to-day.

Then, there was reference to the general condition of the Prisoners. Sir, I have before me some official and non-official visitors' book a reading of which from here and there will show that the visitors have been struck by the extremely good condition of the prisoners in the Jail—Visitors from elsewhere and from within the State. One of the latest entries is on 26-11-06, by Dr. Madhavan Pillai "Visited the Central Prison this evening. As usual the premises are kept extremely neat." As for the treatment of prisoners—

MR. S. KRISHNA PILLAI (*Karunagapalli*): What about the rooms?

MR. K. GEORGE (*Chief Secretary to Government*): I think that is also included. "No complaints were made to me. I found every thing right."

MR. S. KRISHNA PILLAI (*Karunagapalli*): May I know whether the prisoners are permitted to complain to the visitors and whether they will be properly treated if they make such complaints?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. GEORGE (*Chief Secretary to Government*): I think the rules allow the prisoners to make complaints to the non-official visitors.

PRESIDENT: There are certain non-official members appointed to visit the prison. They are 'non-official' in a technical sense. They have the right to supervise and question the prisoners about the way in which they are treated.

MR. S. KRISHNA PILLAI (*Karunagapalli*): Is the member aware of any such complaints made by prisoners to these non-official members?

MR. K. GEORGE (*Chief Secretary to Government*): The general condition of our prisoners in the opinion of many outsiders who come to Travancore and visit the Jail is that it is very good.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Is there any note of an outsider who visited the prison?

MR. K. GEORGE (*Chief Secretary to Government*): I have seen some reports from the Central Prison. These dates back to several years. It will take some time to find them out. Our Jail is rather famous in India as being one of the best.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): Am I to understand that hereafter Government are leaving things as they are and allow themselves to be guided by courts in matters like this?

MR. K. GEORGE (*Chief Secretary to Government*): That is the rule.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): I move for closure.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): I have sent in a similar motion. So I also want to say a word on the subject.

PRESIDENT: You may make a short speech.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): In view of the Chief Secretary's assurance that some concessions are to be extended to the political prisoners, I do not press that point. But still I say that because we have not got Political Prisoners Act here, as in British India, the treatment meted out to these prisoners is not in any way different from the treatment meted out to other prisoners. So I draw the attention of the Government that at least because the treatment accorded to them is a little different from the treatment meted out to others they may be allowed to have their daily avocation apart from other prisoners. With these words I take my seat.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): From what has been stated by Mr. Kunjukrishna Pillai by his visits to the Jail I wish to know whether Government will enquire into the matter to see whether the Jail rules require any modification and whether Government are prepared to consider that matter.

MR. K. GEORGE (*Chief Secretary to Government*) That will be considered.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I beg leave of the House to withdraw my motion.

The motion was, by leave, withdrawn.

LIBRARY ARCHIVES Kerala Legislative Assembly

Motions 384 and 385.

The following motions were not moved :

MR. K. P. MADHAVAN PILLAI :

384. To reduce the allotment of Rs. 72,147 for Central Prison by Rs. 100.

MR. K. KRISHNAN NAYAR :

385. To reduce the total allotment of Rs. 84,147 under Demand XIII by Re. 1.

PRESIDENT : I put demand No. XIII—Central Prison for Rs. 84,147 to the vote of the House. I take it as carried.

The grant was made.

DEMAND XIV—AGRICULTURE AND FISHERIES.

RAO SAHIB DR. N. KUNJAN PILLAI (*Census Commissioner*) Sir, I rise to move for a grant not exceeding Rs. 1,76,436 under Demand XIV—Agriculture and Fisheries.

Motions 386 to 388.

The following motions were not moved :

MR. K. C. KARUNAKARAN :

386. To reduce the allotment of Rs. 4,750 for travelling allowance by Rs. 10.

MR. K. NARAYANAPERUMAL NADAR :

387. To reduce the allotment of Rs. 29,970 for Direction by Re. 1.

MR. K. I. KOCHEEPPAN MAPPILLA :

388. Te reduce the allotment of Rs. 13,477 for establishment by Rs 10.

Motion 389.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*) Sir, I beg to move the following motion :

To reduce the allotment of Rs. 13,447 for establishment by Rs. 100

Sir, my object in making this motion is to draw the attention of the Government to the fact that the Agricultural Farm in Puliyara is not accessible to the people and it does not serve the purpose for which it is intended. It is far away from the town and I do not think it serves any useful purpose. I would therefore suggest for the consideration of the Government that it may be located somewhere near Shencotta town if it is possible.

PRESIDENT : The discussion will continue tomorrow. The House will now rise and meet again tomorrow at 11-30 A. M.

The Council adjourned at 5-15 P. M. to meet again at 11-30 A. M the next day.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council

LIBRARY ARCHIVES Kerala Legislative Assembly